IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS METROPOLITAN POLICE DEPARTMENT, Appellant/Cross-Respondent, vs. AMERICAN BROADCASTING COMPANIES, INC.; THE ASSOCIATED PRESS; CABLE NWES NETWORK, INC.; CHESAPEAKE MEDIA I, LLC, D/B/A KSNV-TV; LOS ANGELES TIMES COMMUNICATIONS, LLC; THE NEW YORK TIMES COMPANY; SCRIPPS BROADCASTING HOLDINGS, LLC; WP COMPANY, LLC, D/B/A THE WASHINGTON POST, Respondents, LAS VEGAS REVIEW-JOURNAL, Respondent/Cross-Appellant.	Electronically Filed Apr 19 2019 03:24 p.m. Elizabeth A. Brown Clerk of Supreme Court SUPREME COURT CASE NO.: 75518 DISTRICT COURT CASE NO.: A764030; A764169

UNTIMELY MOTION FOR AN EXTENSION OF TIME TO FILE REPLY BRIEF ON CROSS-APPEAL
(First Request)

Respondent/Cross-Appellant Las Vegas Review-Journal, Inc. (the "Review-Journal"), by and through its counsel, Margaret A. McLetchie of McLetchie Law, hereby respectfully moves this Court for an extension of time, until April 25, 2019, to file its Reply Brief on cross-appeal, which was due on April 5, 2019. This is the Review-Journal's first request for an extension. This motion is based on the following memorandum and all papers and pleadings on file herein.

Docket 75518 Document 2019-17407

DATED this the 19th day of April, 2019.

/s/ Margaret A. McLetchie

Margaret A. McLetchie, Nevada Bar No. 10931
MCLETCHIE LAW
701 East Bridger Ave., Suite 520
Las Vegas, Nevada 89101
Counsel for Respondent/Cross-Appellant, Las Vegas Review-Journal, Inc.

MEMORANDUM

Respondent/Cross-Appellant Las Vegas Review-Journal, Inc. (the "Review-Journal"), by and though its undersigned counsel of record, hereby moves this Court pursuant to Nevada Rule of Appellate Procedure 31(b) for a 30-day extension of time to file its Reply Brief on Cross-Appeal.

The Review-Journal's Reply Brief on Cross-Appeal was originally due April 5, 2019. Due to a calendaring error, counsel miscalculated the deadline for submission of the Reply Brief as April 22, 2019. The Review-Journal now untimely seeks a 20-day extension, making its Reply Brief on Cross-Appeal due on April 25, 2019.

This Court may "[f]or good cause" extend the time "prescribed by the [Nev. R. App. P.] or by its order to perform any act, or may permit an act to be done after that time expires." NRAP 26(b)(1)(A). In this case, there is good cause to extend the deadline from April 5, 2019 to April 25, 2019 due to the excusable neglect of the undersigned.

Pursuant to Nev. R. App. P. 1(c), the Rules of Appellate Procedure "shall be liberally construed to secure the proper and efficient administration of the business and affairs of the courts and to promote and facilitate the administration of justice by the courts." This cross-appeal raises important questions regarding the interpretation and application of the Nevada Public Records Act and the public's

access to records about one of the most significant and tragic events in the state's history. Thus, it is important for the Court to allow for full briefing in this matter.[1]

1. The undersigned counsel received a copy of the Appellant/Cross-Respondent's Reply Brief and Answering Brief on Cross-Appeal on March 22, 2019.

2. Due to an oversight, counsel calendared the due date for the Review-Journal's Reply Brief on Cross-Appeal as April 22, 2019.

3. This oversight was the result of a misapplication of NRAP 28.1(f)(1)(D), which mandates that a reply brief on cross-appeal is due within 14 days after the service of an appellant/cross-respondent's reply brief and answering brief on cross-appeal. Instead, undersigned counsel calendared the due date for the Reply Brief on Cross-Appeal based on NRAP 31(a)(1)(C), which provides that a reply brief "must be served and filed within 30 days after the respondent's brief is served."

4. On April 19, 2019, counsel's office contacted the Court for a 14-day extension of time for filing the Review-Journal's Reply Brief on Cross-Appeal. It was only then that counsel realized the calendaring error.

[1] Additionally, rather than deny the Review-Journal's untimely request for an extension of time, this Court may take other, less drastic measures such as sanctioning undersigned counsel for her error.

5. The undersigned apologizes for the error and understands the need to follow this Court's rules, which she always tries to do. The undersigned has adapted her firm's calendaring procedures to ensure that this error never occurs again.

6. Counsel has been working diligently on Reply Brief. Because of the complexity of the procedural and legal claims presented in the Appellant/Cross-Respondent's Reply Brief and Answering Brief on Cross-Appeal, counsel needs until April 25, 2019 to adequately respond to the Appellant/Cross-Respondent's arguments.

7. The Reply Brief on Cross-Appeal was due April 5, 2019. An extension is necessary in this case for the aforementioned circumstances, to ensure proper briefing and to promote and facilitate the administration of justice in this matter. The Review-Journal thus respectfully requests an extension of thirty (30) days for the Reply Brief on Cross-Appeal, which would move that deadline from April 5, 2019 to May 6, 2019.

8. On April 19, 2019, counsel for the Review-Journal notified Nick Crosby, counsel for Appellant/Cross-Respondent, Las Vegas Metropolitan Police Department of the calendaring error, and informed Mr. Crosby that the Review-Journal would be filing the instant motion for extension.

9. The undersigned deeply regrets her calendaring error, and apologizes to the Court and Appellant/Cross-Respondent for her error.

The undersigned declares under penalty of perjury the factual representations set forth in the foregoing memorandum are true and correct.

DATED this the 19th day of April, 2019.

/s/ Margaret A. McLetchie

Margaret A. McLetchie, Nevada Bar No. 10931
MCLETCHIE LAW
701 East Bridger Ave., Suite 520
Las Vegas, Nevada 89101
Counsel for Respondent/Cross-Appellant, Las Vegas Review-Journal, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing UNTIMELY MOTION FOR AN EXTENSION OF TIME TO FILE REPLY BRIEF ON CROSS-APPEAL (First Request) was filed electronically with the Nevada Supreme Court on the 19th day of April, 2019. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

Craig R. Anderson, Nick D. Crosby, and Jackie V. Nichols
MARQUIS AURBACH COFFING
Counsel for Appellant/Cross-Respondent,
Las Vegas Metropolitan Police Department

Joel E. Tasca and Justin A. Shiroff
BALLARD SPAHR LLP
Counsel for Respondents,
American Broadcasting Companies, Inc., The Associated Press, Cable News Network, Inc., Chesapeake Media I, LLC, d/b/a KSNV-TV, Los Angeles Times Communications, LLC, The New York Times Company, and WP Company LLC d/b/a The Washington Post

/s/ Pharan Burchfield
Employee of McLetchie Law